

DEVELOPMENT CONDITIONS

SEA 84-C-076-09

June 22, 2011 as amended on July 26, 2011

If it is the intent of the Board of Supervisors to approve SEA 84-C-076-09 on Tax Maps 45-2((1)) 41B1, 41L, 41L3, 41L4, and 41L5, and 45-2((2)) 38, 39A, 39B, 46A1 and 51A1 previously approved for a Medical Care Facility, including an assisted living facility, a child care center and related uses, to permit an increase in land area, an increase in gross floor area and other building additions and site modifications pursuant to Sect. 4-304 of the Fairfax County Zoning Ordinance, the staff recommends that the Board condition the approval by requiring conformance with the following development conditions, which supersede all previously approved conditions as they pertain to this site. (An asterisk (*)) indicates development conditions that have been carried forward from the previous approval).

1. This Special Exception Amendment is granted for and runs with the land indicated in this application and is not transferable to other land.*
2. This Special Exception Amendment is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special exception amendment plat approved with the application, as qualified by these development conditions.*
3. This Special Exception Amendment is subject to the provisions of Article 17, Site Plans. Any plan submitted pursuant to the special exception shall be in substantial conformance with the approved Special Exception Amendment (SEA) Plat entitled "Inova Fair Oaks Hospital Campus Generalized Development Plan/ Generalized Development Plan Amendment/ Special Exception Amendment Plat RZ 2011-SU-004, PCA 2000-SU-032-03 and SEA 84-C-076-09 (the "GDP/ SEA Plat"), prepared by Dewberry and Davis LLC dated January 31, 2011, as revised through May 13, 2011. Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
4. A copy of this Special Exception Amendment and the Non Residential Use Permit SHALL BE POSTED in a conspicuous place on the property of the use and made available to all departments of the County of Fairfax during the hours of operation of the permitted use.*
5. Parking spaces shall be provided as shown on the GDP/ SEA Plat and as noted. This condition shall not limit the ability of the applicant to phase the provision of parking, so long as the phasing complies with Article 11; however, the number of parking spaces provided at the ultimate build-out shall not be reduced by more than 10% from that number proposed on the GDP/ SEA Plat.*

6. No new beds (above the 182 currently approved) shall be installed prior to approval of a Certificate of Public Need. In addition, no building permit shall be issued for the "Proposed Hospital Expansion North" until such time as a Certificate of Public Need has been approved for such structure. Prior to site plan approval for the "Proposed Hospital Expansion North" or the "Proposed Hospital Expansion South" as shown on the GDP/ SEA Plat, the applicant shall attend a public meeting of the Health Care Advisory Board to present additional details regarding future bed complement and/or surgical services.*
7. The stormwater management system shall be reviewed for adequacy by DPWES at the time of site plan review; if any inadequacies are identified, appropriate corrective measures shall be employed to the satisfaction of DPWES, prior to final site plan approval.

During construction of all phases of development on the Application Property from which stormwater will be directed to either the SWM/BMP wet pond located in the northeastern quadrant of Alder Woods Drive/Joseph Siewick Drive intersection or the SWM/BMP dry pond located in the northeastern quadrant of the Alder Woods Drive/Rugby Road intersection, the Applicant shall, in addition to any other site monitoring as may be required by the Public Facilities Manual, monitor the discharges from the limits of construction. The applicant shall, at the time of the on-site pre-construction meeting, provide to DPWES a baseline conditions report, with sufficient information, including but not limited to, topographic data and photographs, as determined by DPWES, to document the existing, pre-construction conditions of the respective on-site ponds, to be used as a base line for comparison with all subsequent monitoring reports. The applicant shall, for the duration of the construction activity, until the site is completely stabilized, as determined by the site inspector, inspect the flow into the respective on-site pond(s) from the area of site work on a weekly basis, or more frequently as may be required due to a heavy rain event, in order to monitor the effectiveness of the approved erosion and sediment (E&S) controls. The Applicant shall prepare and submit to DPWES a monthly report of such inspections, with a photographic record. In the event it is reasonably determined based on such monitoring that the approved erosion and sediment control measures are insufficient, as determined by the DPWES site inspector, the Applicant shall install additional measures requested by DPWES that are deemed necessary to improve the E&S controls.

Assisted Living:

8. The assisted living facility shall be limited to a maximum of 112 residents.*
9. A sidewalk shall be provided along the west side of Joseph Siewick Drive from Alder Woods Drive to a sidewalk connection at the Assisted Living Facility. *

10. The applicant shall participate in the Virginia Department of Social Services Auxiliary Grant Program by providing access to the proposed assisted living facility to a minimum of four residents who participate in the Auxiliary Grant Program.*

The above proposed conditions are staff recommendations and do not reflect the position of the Board of Supervisors unless and until adopted by that Board. This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be himself responsible for obtaining the required Non-Residential Use Permit through established procedures, and this Special Exception shall not be valid until this has been accomplished.

Pursuant to Section 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, thirty-six (36) months after the date of approval unless, at a minimum, the use has been established or construction has commenced and been diligently prosecuted for one of the buildings in the proposed development options. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special exception. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.